

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE:

WELDED CONSTRUCTION, L.P.,

Debtor.

**Case No. 18-12378 (KG)
(Pending D. Delaware)
Chapter 11**

HERC SERVICES, LLC,

Plaintiff,

Adversary No. 5:19-ap-019

v.

COLUMBIA GAS TRANSMISSION, LLC,

Defendant.

ORDER WITHDRAWING REFERENCE

The above-styled adversary proceeding is currently pending in the United States Bankruptcy Court for the Northern District of West Virginia. It has come to this Court's attention that a conflict of interest has arisen with both bankruptcy judges in the State of West Virginia.

The district courts have original jurisdiction over bankruptcy proceedings, 28 U.S.C. § 1334. However, each district court may provide that all bankruptcy proceedings shall be referred to the bankruptcy judge for that district. 28 U.S.C. § 157(a). Bankruptcy courts are, in fact, units of the district court. 28 U.S.C. § 151. By Amended Standing Order of Reference entered on April 2, 2013, this District has referenced all bankruptcy proceedings

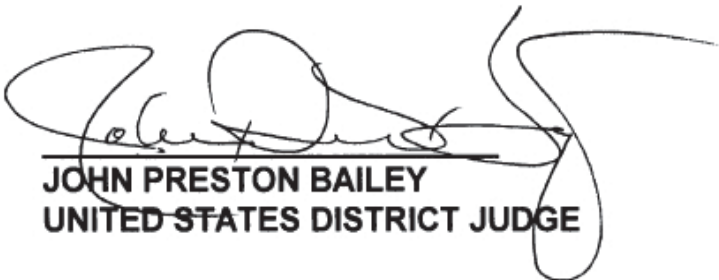
to the sole bankruptcy judge for this district.

At its discretion, the district court may – on its own motion for cause shown – withdraw the order of reference to the bankruptcy court and exercise its original jurisdiction over an individual bankruptcy proceeding. 28 U.S.C. § 157(d). Cause exists in this case to withdraw the Amended Order of Reference because the sole bankruptcy judge for this District is disqualified from presiding over the case due to a financial conflict. The same is true of the sole bankruptcy judge for the Southern District of West Virginia. Therefore, it is **ORDERED** that the Amended Order of Reference dated April 2, 2013, be and is hereby **WITHDRAWN** solely with regards to the above-referenced adversary proceeding, and all further proceedings in the case will be conducted before the undersigned judge of United States District Court for the Northern District of West Virginia.

It is so **ORDERED**.

The Bankruptcy Clerk for the United States Bankruptcy Court for the Northern District of West Virginia is directed to transmit copies of this Order to all parties of interest.

DATED: May 14, 2019.



JOHN PRESTON BAILEY
UNITED STATES DISTRICT JUDGE

Notice Recipients

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Case: 5:19-ap-00019

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TOTAL: 4

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	25301			

TOTAL: 2